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February 25, 2015

The Honorable John Kline  
Chairman  
U.S. House Committee on  
Education & the Workforce  
2181 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Robert C. "Bobby" Scott  
Ranking Member  
U.S. House Committee on  
Education & the Workforce  
2101 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Kline and Ranking Member Scott:

As the House of Representatives acts to reauthorize the *Elementary and Secondary Education Act* (ESEA), we are pleased that the *Student Success Act* (H.R. 5) includes many of the National Alliance's reauthorization priorities, including annual assessments in reading and math in grades 3-8. The law is long overdue to be updated for many reasons, but particularly because its accountability requirements are no longer useful in identifying the schools most in need of improvement and ensuring appropriate interventions in those schools.

ESEA also needs to be updated in its treatment of public charter schools. When the *No Child Left Behind Act* was passed in 2001, the charter community was much smaller. Now, charter schools constitute 5 percent of public schools nationwide. A reauthorized ESEA needs to reflect the role that charter schools play in public education and the potential that high-quality charter schools offer to children attending low-performing schools.

The National Alliance believes that in order for the public charter sector to grow and continue to produce results through innovation, the reauthorization of ESEA should significantly expand support for both the creation of new charter schools and the replication and expansion of successful charter schools. To that end, we thank you for including in H.R. 5 language from the bipartisan bill (H.R. 10) to reauthorize the Charter Schools Program (CSP) that passed the House during the last Congress. This language will strengthen public education by supporting the growth of high-quality public charter schools and increasing educational opportunities for all students.

### **Requested Improvements to H.R. 5**

While the National Alliance supports the CSP language in H.R. 5, we also look forward to working with Members to improve various provisions of the bill as it moves through the legislative process:

## Title I

- **Accountability for the Achievement of Subgroups:** States should be required to hold schools accountable for helping all students (including key subgroups) meet high standards using status and growth measures of student achievement in, at a minimum, reading and math. They should be required to do this in a manner that ensures that those groups are making significant progress towards academic proficiency.
- **Direct Student Services:** The National Alliance believes this component of Title I is too prescriptive in how it permits the use of funds to be used for school choice and tutoring services. Furthermore, it is drafted in a manner that would disadvantage small and single-school LEAs in the required use of funds, but also because it prioritizes LEAs with “large numbers” of certain student subgroups. Instead, the National Alliance supports statewide efforts to direct funds on a competitive basis to promoting access to seats in high-quality schools and other means of supporting parents in accessing high-quality options for their children.

## Title II

- **Supporting Effective Educator Development (SEED) program:** We support a requirement that a portion of Title II be allocated for grants that support the types of activities currently funded through the SEED program, which makes grants to organizations that are providing innovative training to develop teachers and leaders for high-quality charter schools.

## Title III

- **CSP Authorization Level:** The National Alliance asks for \$500 million for overall authorization level of the Charter Schools Program, which is currently set at \$300 million for each year of the authorization. While we appreciate that a \$300 million cap would permit some growth in the CSP appropriation and understand the difficult funding choices that Congress must make, the National Alliance believes a higher authorization level for the CSP is needed to help meet the existing and ever-growing parental demand for high-quality public school options and the need for facilities support for public charter schools.
- **Replication and Expansion of High-Quality Charter Schools:** We appreciate the inclusion of a direct competition for charter management organizations, which is a priority for the National Alliance. However, the funding available to replicate and expand high-quality charter schools under section 3105(b) is lower than the level appropriated by Congress under the FY2015 Consolidated Appropriations Act. As this legislation moves forward, we request additional consideration of the authorization level for this competition.

- **Grant Awards:** The National Alliance has concerns about the implementation of grant awards under section 3103(c)(3), which would require the Secretary to “front-load” grants by wholly funding each grant awarded, without making continuation awards. This provision may limit the Department of Education’s ability to redirect funds from states that make fewer subgrants than anticipated. Instead of requiring front-loading, increasing funding for the program would ensure that sufficient awards are made each year.
- **Ensuring access to federal funds:** The National Alliance is concerned that new and significantly expanding charter schools are not always receiving timely and appropriate allocations of federal funds as required under current law. We would like to work with Members on strengthening the statutory provisions in this area.

### **Amendments**

- **Ranking Member Scott’s Amendment in the Nature of a Substitute:** The National Alliance appreciates Ranking Member Scott’s efforts to support annual testing in grades 3-8 in reading and math, as well as ensuring accountability for the progress of all groups of students. We also support the inclusion in the Scott substitute of language that largely reflects H.R. 10, the bipartisan bill to reauthorize the Charter Schools Program, which was passed in 2014. Nevertheless, we cannot support this amendment. Title I of the substitute contains requirements for all charter schools that are significantly burdensome, inconsistent with the rules governing the Charter Schools Program, and attempt to redefine charter schools through Title I statutory language. Moreover, the language includes several burdensome requirements that would be placed on charter schools but not on school districts or other public schools. In addition, the substitute would make several substantive changes to the Charter Schools Program that we cannot support, such as removing a state law priority for states that do not cap the growth of charter schools, and tying the definition of a high-quality charter school to the Title I definition of Adequate Yearly Progress (AYP).
- **Annual assessments in reading and math:** The National Alliance strongly opposes any amendments that would remove the requirement for states to assess students in grades 3-8 in reading in math every year. Annual testing is critical to measuring student growth, providing parents with key information about their child’s school, and holding both charter and traditional public schools accountable for student progress.
- **Charter School Amendments:** The National Alliance opposes all amendments that are intended to place unnecessary or duplicative federal requirements on charter schools for issues that are already addressed in federal or state charter school laws.

Thank you again for your leadership to reauthorize ESEA.

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Sincerely,

A handwritten signature in black ink, appearing to read "Nina Rees". The signature is fluid and cursive, with the first name "Nina" and last name "Rees" clearly distinguishable.

Nina Rees  
President and CEO